

KEENAN

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x : INDICTMENT

UNITED STATES OF AMERICA

-v.-

MARK WAGNER,  
a/k/a "Aaron Wagner,"

Defendant.

----- x : COUNT ONE

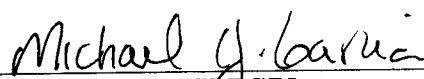
08CRIM 783

The Grand Jury charges:

From at least on or about June 21, 2008, in the Southern District of New York and elsewhere, MARK WAGNER, a/k/a "Aaron Wagner," the defendant, being an alien, unlawfully, willfully, and knowingly, did enter and was found in the United States, after having been removed from the United States on or about August 10, 2007, subsequent to a conviction for the commission of an aggravated felony, to wit, a conviction on or about December 9, 2005, in New York Supreme Court, Bronx County, of criminal sale of a controlled substance in the fourth degree, in violation of New York Penal Law 220.34, without having obtained the express consent of the Attorney General of the United States, or his successor, the Secretary for the Department of Homeland Security, to reapply for admission.

(Title 8, United States Code, Sections 1326(a) &amp; (b)(2).)


  
Lisa White  
FOREPERSON


  
MICHAEL J. GARCIA  
United States Attorney